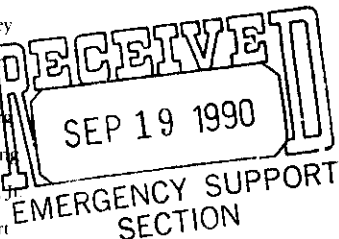


Robert B. Womsley  
John C. Lombard  
Ronald S. Pretel  
Roger J. Makley  
Jacob A. Myers  
Jonas J. Gruenberg  
Jeffrey A. Melnick  
Merle F. Wilberding  
Hugh E. Wall, II  
Robert P. Bartlett, Jr.  
Glenn L. Bower  
J. Stephen Herbert  
John A. Cumming  
Fred A. Ungerman, Jr.  
R. Scott Blackburn  
Richard A. Schwartz  
Sam Warwar  
Terence L. Fague  
Anne M. Frayne  
Kevin J. O'Brien  
Timothy D. Hoffman  
John C. Chambers  
Steven C. Scudder\*  
Laura G. Harrelson  
Martine R. Dunn  
Douglas M. Ventura  
Brett L. Thurman  
C. Marshall Esler, Jr.  
Janice M. Pauls  
Belinda H. Simile  
Douglas C. Taylor  
James M. Hill  
Thomas M. Hanna  
Randolph J. Bernard  
Susan N. Elliott  
Gregory T. Engler  
Kathleen M. Whalen  
Elizabeth J. Hurley  
Mattison G. Painter  
Peter A. Igel  
Mary J. Kosterlitz\*\*

\*Admitted in Illinois only  
\*\*Admitted in Virginia only

J. Bradford Coolidge  
1888-1965

Retired  
Hugh E. Wall, Jr.



COOLIDGE  
WALL  
WOMSLEY &  
LOMBARD

A Legal Professional  
Association

600 IBM Building  
33 West First Street  
Dayton, Ohio 45402  
513-223-8177  
Telecopier: 513-223-6705  
Cable: COOL-LAW

September 18, 1990

**FEDERAL EXPRESS AND FACSIMILE 312-353-9176**

Debbie Fript  
USEPA - Region V  
Emergency Support Section 5HS-12  
230 S. Dearborn Street  
Chicago, Illinois 60604

Re: Himco Landfill, Elkhart, Indiana

Dear Ms. Fript:

We represent the interests of E.S.I. Meats, Inc. ("E.S.I."), with regard to the Himco Landfill investigation being conducted by your agency. On September 11, 1990, our client received a letter from the EPA regarding its plan to connect homes near the Himco Landfill to a municipal water supply due to elevated concentrations of sodium. This letter further invited E.S.I. to perform or finance this activity.

However, as we have previously indicated, a thorough review of our records revealed that there is no evidence that E.S.I. generated any hazardous waste during the relevant period, much less any hazardous waste at the Himco Landfill. Accordingly, at this time, we must, on behalf of E.S.I., decline the invitation to perform or finance the activities on the basis of the information currently available to us.

Obviously, we will continue to cooperate with the EPA in their investigation. If evidence should arise during the course of this investigation which implicates E.S.I. as a hazardous waste generator at the Himco Landfill, we will reevaluate our position. Further, if you have any information that indicates that E.S.I. was either a generator of hazardous waste during the relevant time period or a generator of hazardous waste at the Himco Landfill, we would appreciate your providing it to us as soon as possible.

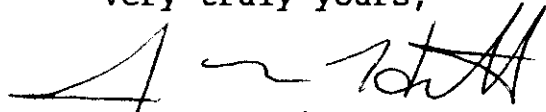
COOLIDGE  
WALL  
WOMSLEY &  
LOMBARD

A Legal Professional  
Association

Debbie Fript  
September 18, 1990  
Page 2

Thank you for your consideration in this matter. If you have  
any questions, do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "James M. Hill", written over a horizontal line.

James M. Hill

6320065\375

COOLIDGE,  
WALL,  
WOMSLEY &  
LOMBARD

A Legal Professional  
Association

P.1  
600 IBM Building  
33 West First Street  
Dayton, Ohio 45402  
513/223-8177  
Telecopier: 513/223-6705  
Cable: COOL-LAW

Date 9-18-90  
Time 3:30 pm  
Our Client No. 6320065

DELIVER TO DEBBIE FRIPT  
REQUESTED BY JAMES M. HILL  
NUMBER OF PAGES (INCLUDING COVER SHEET) 3  
TELECOPIER NO. SENDING TO: 312-353-9176

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE NOTIFY HELEN OR ALICE AT  
(513) 223-8177 AS SOON AS POSSIBLE. THANK YOU.

I:\CWWLFORM\FAX.FRM

Michael S. Friedman  
 Robert J. Malley  
 Robert A. Myers  
 Thomas J. Grunberg  
 Jeffrey A. Melnick  
 Merle F. Wilberding  
 Hugh E. Wall III  
 Robert J. Gorman  
 Glen E. Gorman  
 J. S. Gorman  
 John E. Gorman  
 Fred E. Gorman, Jr.  
 R. Scott Gorman  
 Richard A. Gorman  
 Sam E. Gorman  
 Terence L. Gorman  
 Anne M. Gorman  
 Kevin J. Gorman  
 Timothy D. Gorman  
 John C. Chambers  
 Steven C. Scudder  
 Laura G. Harrelson  
 Martin R. Dunn  
 Douglas M. Dunn  
 Brett L. Dunn  
 C. Maitland Dunn  
 Janice M. Dunn  
 Richard H. Dunn  
 Douglas H. Dunn  
 James H. Dunn  
 Thomas M. Dunn  
 Randolph Dunn  
 Susan Dunn  
 Gregory Dunn  
 Kathleen Dunn  
 Elizabeth Dunn  
 Matthew Dunn  
 Peter A. Dunn  
 Mary J. Dunn

COOLIDGE  
 WALL  
 WOMSLEY &  
 LOMBARD

A Legal Professional Association

600 IBM Building  
 33 West Fifth Street  
 Dayton, Ohio 45402  
 513-223-8177  
 Telecopier: 513-223-6705  
 Cable: COOL-LAW

September 18, 1990

**FEDERAL EXPRESS AND FACSIMILE 312-353-9176**

Debbie Fript  
 USEPA - Region V  
 Emergency Support Section 5HS-12  
 100 W. Dearborn Street  
 Chicago, Illinois 60604

Re: Himco Landfill, Elkhart, Indiana

Dear Ms. Fript:

We represent the interests of E.S.I. Meats, Inc. ("E.S.I."), with regard to the Himco Landfill investigation being conducted by your agency. On September 11, 1990, our client received a letter from the EPA regarding its plan to connect homes near the Himco Landfill to a municipal water supply due to elevated concentrations of sodium. This letter further invited E.S.I. to perform or finance this activity.

However, as we have previously indicated, a thorough review of our records revealed that there is no evidence that E.S.I. generated any hazardous waste during the relevant period, much less any hazardous waste at the Himco Landfill. Accordingly, at this time, we must, on behalf of E.S.I., decline the invitation to perform or finance the activities on the basis of the information currently available to us.

Obviously, we will continue to cooperate with the EPA in their investigation. If evidence should arise during the course of this investigation which implicates E.S.I. as a hazardous waste generator at the Himco Landfill, we will reevaluate our position. Further, if you have any information that indicates that E.S.I. was either a generator of hazardous waste during the relevant time period or a generator of hazardous waste at the Himco Landfill, we would appreciate your providing it to us as soon as possible.

COOLIDGE  
WALL  
WOMSLEY &  
LONKARD  
A Legal Professional  
Association

Debbie Fript  
September 18, 1990  
Page 2

Thank you for your consideration in this matter. If you have  
any questions, do not hesitate to contact me.

Very truly yours,

  
James M. Hill

6320065\375

<b>FEDERAL EXPRESS</b>		QUESTIONS? CALL 800-238-5355 TOLL FREE.		AIRBILL NUMBER <b>3982</b>	
720 AM		Date <b>9-18-90</b>			
From (Your Name) Please Print <b>JAMES W. HILL</b>		Your Phone Number (Very Important) <b>(513) 223-8177</b>		To (Recipient's Name) Please Print <b>DEBBIE FRIPT</b>	
Company <b>CUOLIDGE WALL WONSLEY LUMARD</b>		Department/Floor No.		Company <b>USEPA - REGION V</b>	
Street Address <b>33 W FIRST 400 IBM BLDG</b>		City <b>DAYTON OH</b>		Exact Street Address (Use of P.O. Boxes or P.O. Zip Codes Will Delay Delivery And Result In Extra Charge.) <b>EMERGENCY SUPPORT SECTION 5HS-12</b>	
State <b>OH</b>		ZIP Required For Correct Invoicing <b>45402</b>		City <b>CHICAGO IL</b>	
State <b>IL</b>		ZIP Street Address Zip Required <b>60604</b>			
YOUR BILLING REFERENCE INFORMATION (FIRST 24 CHARACTERS WILL APPEAR ON INVOICE.) <b>6320005 HINCO DUMP</b>					
PAYMENT <input checked="" type="checkbox"/> Bill Sender <input type="checkbox"/> Bill Recipient's FedEx Acct. No. <input type="checkbox"/> Bill 3rd Party FedEx Acct. No. <input type="checkbox"/> Bill Credit Card					
<input type="checkbox"/> Cash					
SERVICES CHECK ONLY ONE BOX		DELIVERY AND SPECIAL HANDLING CHECK SERVICES REQUIRED		PACKAGES WEIGHT YOUR DECLARED VALUE OVER SIZE	
1 <input checked="" type="checkbox"/> <b>PRIORITY 1</b> <input type="checkbox"/> <b>OVERNIGHT</b>		1 <input type="checkbox"/> <b>HOLD FOR PICK-UP</b> (Use in Section 4 at right)		1 <input type="checkbox"/> <b>BS</b>	
2 <input type="checkbox"/> <b>COURIER-Pak Overnight Envelope</b> (12"x15 1/2")		2 <input type="checkbox"/> <b>DELIVER WEEKDAY</b>		2 <input type="checkbox"/> <b>HS</b>	
3 <input type="checkbox"/> <b>OVERNIGHT BOX</b> (12"x12"x12")		3 <input type="checkbox"/> <b>DELIVER SATURDAY</b> (Extra charge)		3 <input type="checkbox"/> <b>BS</b>	
4 <input type="checkbox"/> <b>OVERNIGHT TUBE</b> (36"x6"x6")		4 <input type="checkbox"/> <b>DANGEROUS GOODS</b> (P-1 and Standard Air Package only. Extra charge)		4 <input type="checkbox"/> <b>BS</b>	
5 <input type="checkbox"/> <b>STANDARD AIR</b>		5 <input type="checkbox"/> <b>CONSTANT SURVEILLANCE SERVICE (CSS)</b> (Extra charge (Do Not Complete Section 5))		Total Total Total	
6 <input type="checkbox"/> <b>DELIVERY NOT LATER THAN SECOND BUSINESS DAY</b>		6 <input type="checkbox"/> <b>DRY ICE</b> Use		Received At 1 <input type="checkbox"/> Regular Stop 2 <input type="checkbox"/> On-Call Stop 3 <input type="checkbox"/> Drop Box 4 <input type="checkbox"/> B.S.C. 5 <input type="checkbox"/> Station	
7 <input type="checkbox"/> <b>SATURDAY PICK-UP</b> (Extra charge)		7 <input type="checkbox"/> <b>OTHER SPECIAL SERVICE</b>		Federal Express Corp. Employee No.	
8 <input type="checkbox"/> <b>DELIVERY NOT LATER THAN SECOND BUSINESS DAY</b>		8 <input type="checkbox"/> <b>DELIVERY NOT LATER THAN SECOND BUSINESS DAY</b>		Date/Time For Federal Express Use	
9 <input type="checkbox"/> <b>DELIVERY NOT LATER THAN SECOND BUSINESS DAY</b>		9 <input type="checkbox"/> <b>DELIVERY NOT LATER THAN SECOND BUSINESS DAY</b>		Date/Time Received FedEx Employee Number	
10 <input type="checkbox"/> <b>DELIVERY NOT LATER THAN SECOND BUSINESS DAY</b>		10 <input type="checkbox"/> <b>DELIVERY NOT LATER THAN SECOND BUSINESS DAY</b>		Date/Time Received FedEx Employee Number	
Sender authorizes Federal Express to deliver this shipment without obtaining a delivery signature and shall indemnify and hold harmless Federal Express from any claims resulting therefrom.					
Release Signature					
FEDERAL EXPRESS					
PART #106001 REV. 5/87 PRINTED U.S.A. NCREC					
007					